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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

\*E-FILED - 5/11/06\*

UNITED STATES OF AMERICA,

Plaintiff,

v.

THUY PHUOC DINH,  
a/k/a Pierre Dinh,

Defendant.

No. CR 06-00195 RMW

ORDER EXCLUDING TIME  
FROM THE SPEEDY TRIAL ACT  
CALCULATION (18 U.S.C. §§ 3161(h)(8)(A)  
& 3161(h)(8)(B)(iv))

On May 8, 2006, the parties appeared before the Court for an initial appearance. At that appearance, Assistant United States Attorney Susan Knight informed the Court that the government had provided a substantial amount of discovery to defense counsel, and that Anne Marie Tomassini, who represents the defendant, would need time to review it. The parties then requested that the case be continued to July 17, 2006. The parties also requested an exclusion of time under the Speedy Trial Act from May 8, 2006 until July 17, 2006 in order to afford Ms. Tomassini adequate time to review the discovery. The defendant, through Ms. Tomassini, agreed to the exclusion. The parties stipulated and agreed that an exclusion under the Speedy

1 Trial Act was appropriate based on the defendant's need for effective preparation of counsel.

2 SO STIPULATED.

KEVIN V. RYAN  
United States Attorney

3 DATED: \_\_\_\_\_

/s/  
\_\_\_\_\_  
SUSAN KNIGHT  
Assistant United States Attorney

5 DATED: \_\_\_\_\_

/s/  
\_\_\_\_\_  
ANNE MARIE TOMASSINI  
Counsel for Mr. Pierre Dinh

8  
9 Accordingly, the Court HEREBY ORDERS that the time between May 8, 2006 and July  
10 17, 2006 is excluded under the Speedy Trial Act. The Court finds that the failure to grant the  
11 requested continuance would deny the defendant effective preparation of counsel. The Court  
12 finds that the ends of justice served by granting the requested continuance outweigh the best  
13 interest of the public and the defendant in a speedy trial and in the prompt disposition of criminal  
14 cases. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C.  
15 §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

16 IT IS SO ORDERED.

17  
18 5/11/06  
Dated \_\_\_\_\_

/S/ RONALD M. WHYTE  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge

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